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Environmental Quality Commission

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Environmental Quality Commission

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Betsy Bennett, Vice-Chair, *Louisville*
Aloma Dew, *Owensboro*
Patty Wallace, *Louisia*
Gary Revlett, *Shelbyville*
Gordon Garner, *Prospect*

Leslie Cole, *Executive Director*

RECOMMENDATION of the KENTUCKY ENVIRONMENTAL QUALITY COMMISSION NONCOAL REGULATIONS

Pursuant to KRS 224.01-100 through 224.01-115, the Environmental Quality Commission shall have the power, duty and authority to:

- Recommend adoption or rejection by a majority of its membership present and voting of any proposal by the cabinet to adopt, modify or revoke any rule or regulation pertaining to the prevention, abatement and control of existing or threatened air or water pollution, disposal of waste, control of noise, or the use of air, land, or water resources, or strip mining and reclamation.
- The Commission shall tender in writing, its recommendation of adoption or rejection. If the Cabinet adopts any matter upon the Commission's recommendation of rejection, the Secretary shall file with the Commission a statement of the reason therefore.

Therefore, on May 17, 2004:

The Environmental Quality Commission voted to recommend adoption of the Kentucky Division of Surface Mining proposed regulations:

- **405 KAR 5:002. Definitions for 405 KAR Chapter 5.**
- **405 KAR 5:032. Permit requirements**
- **405 KAR 5:036. Signs and markers**
- **405 KAR 5:042. Blasting**
- **405 KAR 5:048. Protection of environmental resources**
- **405 KAR 5:062. Handling materials**
- **405 KAR 5:078. Contemporaneous reclamation**
- **405 KAR 5:082. Reclamation bond.**

Contingent on the following:

That the EPPC convene a work group of regulatory, industry, citizen and university officials to strengthen the noncoal regulations in the areas of reclamation, enforcement, bonding and replacement of affected water supply that is protective of the environment, public health and provides for the continued development of the noncoal economic sector.

A handwritten signature in black ink, appearing to read "Lindell Ormsbee".

signed

May 17, 2004
date